

# **SUPERIOR COURT OF CALIFORNIA**

**County of San Diego**

**DATE: August 24, 2006**

**DEPT. 71**

**REPORTER A: Jim Partridge**

**CSR# 6226**

**PRESENT HON. RONALD S. PRAGER**

**REPORTER B:**

**CSR#**

**JUDGE**

**CLERK: K. Sandoval**

**BAILIFF: L. Wilks**

**REPORTER'S ADDRESS: P.O. BOX 120128**

**SAN DIEGO, CA 92112-4104**

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## **ORAL ARGUMENT**

**IN RE: JCCP 4221/4224/4226&4428 – Natural Gas Anti-Trust Cases (Price Indexing)**

The attached Court's ruling is in regard to CMS CANTERA Motion To Quash.

<b>4221-00020</b>	<b>UYEDA vs CENTERPOINT ENERGY INC</b>
<b>4221-00021</b>	<b>BENSCHIEDT vs AEP ENERGY SERVICES INC</b>
<b>4221-00022</b>	<b>COUNTY OF SANTA CLARA vs SEMPRA ENERGY</b>
<b>4221-00023</b>	<b>CITY AND COUNTY OF SAN FRANCISCO vs SEMPRA ENERGY</b>
<b>4221-00024</b>	<b>COUNTY OF SAN DIEGO vs SEMPRA ENERGY</b>
<b>4221-00025</b>	<b>OLDER vs SEMPRA ENERGY</b>
<b>4221-00026</b>	<b>CITY OF SAN DIEGO vs SEMPRA ENERGY</b>
<b>4221-00027</b>	<b>TAMCO vs DYNEGY INC</b>
<b>4221-00028</b>	<b>A L GILBERT COMPANY vs CORAL ENERGY RESOURCES LP</b>
<b>4221-00029</b>	<b>OBERTI WHOLESALE FOOD INC vs ENCANA ENERGY SERVICES INC</b>
<b>4221-00030</b>	<b>BROWN vs ENCANA ENERGY SERVICES INC</b>
<b>4221-00031</b>	<b>LOIS THE PIE QUEEN vs ENCANA ENERGY SERVICES INC</b>
<b>4221-00032</b>	<b>VITTICE CORPORATION vs ENCANA CORPORATION</b>
<b>4221-00033</b>	<b>COUNTY OF ALAMEDA vs SEMPRA ENERGY</b>
<b>4221-00034</b>	<b>THE REGENTS OF THE UNIVERSITY OF CALIFORNIA vs RELIANT ENERGY SERVICES INC</b>
<b>4221-00035</b>	<b>SCHOOL PROJECT FOR UTILITY RATE REDUCTION vs SEMPRA ENERGY</b>
<b>4221-00036</b>	<b>ASSOCIATION OF BAY AREA GOVERNMENTS vs SEMPRA ENERGY</b>
<b>4221-00037</b>	<b>OWENS-BROCKWAY GLASS CONTAINER INC vs SEMPRA ENERGY</b>
<b>4221-00038</b>	<b>TEAM DESIGN DBA TIMOTHY ENGELN INC vs RELIANT ENERGY INC</b>
<b>4221-00039</b>	<b>CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER vs RELIANT ENERGY SERVICES INC</b>
<b>4221-00040</b>	<b>SACRAMENTO MUNICIPAL UTILITY DISTRICT vs RELIANT ENERGY SERVICES INC</b>
<b>4221-00041</b>	<b>SHANGHAI 1930 RESTAURANT PARTNERS LP vs ENCANA ENERGY SERVICES INC</b>
<b>4221-00042</b>	<b>PODESTA vs ENCANA ENERGY SERVICES INC</b>
<b>4221-00043</b>	<b>NURSERYMAN'S EXCHANGE OF HALF MOON BAY vs SEMPRA ENERGY</b>

## JCCP 4221-INDEXING

**4221-00044      COUNTY OF SAN MATEO vs SEMPRA ENERGY**  
**4221-00045      BUSTAMANTE vs WILLIAMS ENERGY SERVICES**  
**4221-00046      PABCO BUILDING PRODUCTS vs DYNEGY INC**  
**4221-00047      BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY vs DYNEGY INC**

10:05 a.m. This being the time previously set for **ORAL ARGUMENT** in the above entitled cause Court convenes with Nancy Fineman of Cotchett, Pitre, Simon & McCarthy personally present for the Plaintiff. Michelle Goodman and Nitin Reddy of Sidley Austin are personally present for the Defendants.

Attorney Fineman presents argument on behalf of the Plaintiff.

10:25 a.m. Attorney Goodman presents argument on behalf of the Defendant.

10:45 a.m. Attorney Fineman presents rebuttal argument.

10:50 a.m. Attorney Goodman presents rebuttal argument.

10:58 a.m. The Court confirms its telephonic ruling, Attorney Goodman to prepare an order and have Attorney Fineman approve as to form.

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